

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-4, 6-14, 16-21, 23, and 24 are currently pending. Claims 5, 15, and 22 have been cancelled without prejudice or disclaimer; and Claims 1-4, 6-14, 16-21, 23, and 24 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-6, 9-16, and 18-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,817,979 to Nihtilä (hereinafter “the ‘979 patent”); and Claims 1, 7, 8, 11, 17, 19, and 24 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0233129 to Matos (hereinafter “the ‘129 application”).

Amended Claim 1 is directed to an image displaying system, comprising: (1) a plurality of bio-information acquiring devices including means for measuring bio-information on each of a plurality of persons under measurement, and means for sending the bio-information; and (2) an image display device including receiving means for receiving the bio-information on the plurality of persons under measurement, transmitted from each of the plurality of bio-information acquiring devices, image generating means for generating an image on the basis of relationships among the plurality of bio-information received by the receiving means, and display means for displaying the image, wherein the plurality of bio-information acquiring devices and the image display device are located in different places and connected to each other via a network. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.¹

¹ See, e.g., page 18, lines 7-18.

Regarding the rejection of Claim 1 under 35 U.S.C. § 102(e) as being anticipated by the ‘979 patent, the ‘979 patent is directed to a system and method for interacting with a user’s virtual physiological model via a mobile terminal. In particular, the ‘979 patent discloses that fitness data can include graphical or animation data, in which physical attributes of the user are visually depicted in the form of an avatar. The ‘979 patent further discloses that changes to the avatar can be effected in response to changes in the user’s acquired physiological data over time, to predictions based on historical physiological data, and to predictions based on test physiological data and/or training regimen parameters.²

However, it is respectfully submitted that the ‘979 patent fails to disclose an image display device including receiving means for receiving the bio-information on the plurality of persons under measurement, transmitted from each of the plurality of bio-information acquiring devices, image generating means for generating an image on the basis of relationships among the plurality of bio-information received by the receiving means, and display means for displaying the image. Rather, as cited by the outstanding Office Action, the ‘979 patent discloses that a server 126 provides for the creation of a user specific avatar by each of a number of users, and further provides for interaction between users and their respective avatars. The ‘979 patent also discloses that it can be appreciated that the information associated with the user’s avatar is highly personal in nature. As such, the ‘979 patent discloses that access to a user’s avatar and information associated with the avatar is typically subject to tight access restrictions.³ The ‘979 patent does not disclose image generating means for generating an image on the basis of relationships among the plurality of bio-information received by the receiving means, and display means for displaying the image.

² See ‘979 patent, column 5, lines 25-32.

³ Id. at column 6, lines 36-42.

Accordingly, it is respectfully submitted that the rejection of Claim 1 (and all associated dependent claims) under 35 U.S.C. § 102(e), as being anticipated by the ‘979 patent, is rendered moot by the present amendment to Claim 1.

Regarding the rejection of the Claim 1 under 35 U.S.C. § 102(e) as being anticipated by the ‘129 application, the ‘129 application is directed to a system for cardiac resuscitation. In particular, the ‘129 application discloses a system and method for monitoring, external defibrillation and pacing, which allows an untrained human enabler immediate access to a medical professional at a central station, who can and will remotely monitor, diagnose and treat a victim of a medical emergency at one of a plurality of remote sites.⁴

However, it is respectfully submitted that the ‘129 application fails to disclose an image display device including receiving means for receiving the bio-information on the plurality of persons under measurement, transmitted from each of the plurality of bio-information acquiring devices, image generating means for generating an image on the basis of relationships among the plurality of bio-information received by the receiving means, and display means for displaying the image. Rather, the ‘129 application discloses that a medical professional 301 sits with easy access to multiple video displays, inputting device, and communication systems. The ‘129 application discloses that these allow the medical professional to evaluate the victim, treat the victim, and communicate with the enabler, who is instructed by the medical professional. Further, the ‘129 application discloses that video displays allow the medical professional to observe the physiologic status of the victim of a medical emergency, to have access to other data relating to the current medical event and prior medical event for this victim, to have access to signal quality and communication options, access to triage status and triage options and access to higher echelons of advice,

⁴ See ‘129 application, Abstract.

either from a computer-based expert system, or from a super-expert medical professional.⁵

The ‘129 application does not disclose an image display device including receiving means for receiving the bio-information on the plurality of persons under measurement, transmitted from each of the plurality of bio-information acquiring devices, image generating means for generating an image on the basis of relationships among the plurality of bio-information received by the receiving means, and display means for displaying the image.

Accordingly, it is respectfully submitted that the rejection of Claim 1 (and all associated dependent claims) under 35 U.S.C. § 102(e), as being anticipated by the ‘129 application, is rendered moot by the present amendment to Claim 1.

Claim 11, recites in part, image generating means for generating an image on the basis of relationships among the plurality of bio-information received by the bio-information receiving means.

As noted above, the ‘979 patent and the ‘129 application fail to disclose the image displaying system recited in Claim 1. Thus, the ‘979 patent and the ‘129 application fail to disclose the image display device of Claim 11. Accordingly, it is respectfully submitted that the rejections of Claim 11 (and all associated dependent claims) under 35 U.S.C. § 102(e), as being anticipated by the ‘979 patent and the ‘129 publication, respectively, are rendered moot by the present amendment to Claim 11.

Claim 19, recites in part, generating an image on the basis of relationships among the plurality of bio-information received in the receiving step.

As noted above, the ‘979 patent and the ‘129 application fail to disclose the image displaying system recited in Claim 1. Thus, the ‘979 patent and the ‘129 application fail to disclose the method of Claim 19. Accordingly, it is respectfully submitted that the rejections of Claim 19 (and all associated dependent claims) under 35 U.S.C. § 102(e), as being

⁵ See ‘129 application, paragraph [0345].

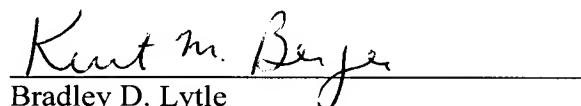
anticipated by the '979 patent and the '129 application, respectively, are rendered moot by the present amendment to Claim 19.

Thus, it is respectfully submitted that independent Claims 1, 11, and 19 (and all associated dependent claims) patentably define over any proper combination of the '979 patent and the '129 application.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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